IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

WEALTH TAX REFERENCE No 42 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH
and
Hon'ble MR.JUSTICE K.A.PUJ

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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ANILKUMAR C PATEL

Versus

COMMISSIONER OF WEALTH-TAX

Appearance:

1. WEALTH TAX REFERENCE No. 42 of 1989

MR MANISH J SHAH for MR JP SHAH for Petitioner No. 1

MR MANISH R BHATT for Respondent No. 1

MR TANVISH U BHATT for Respondent No. 1

CORAM : MR.JUSTICE M.S.SHAH
and
MR.JUSTICE K.A.PUJ

Date of decision: 04/07/2002

ORAL JUDGEMENT

(Per : MR.JUSTICE M.S.SHAH)

In this Reference at the instance of the assessee, the following questions were referred for our opinion in respect of assessment year 1979-80:-

(i) "Whether, on the facts and in the circumstances of the case, the Tribunal was right in law in making additions of compulsory deposit with interest of Rs.46,387/- in the total wealth?"

(ii) "Whether, on the facts and in the circumstances of the case, the Tribunal was right in law in not deducting gross amount of provision for taxation as a liability while applying Rule 1D of the Wealth-tax Rules for determining the break-up value of shares of S.I. Works Querry Pvt. Ltd., S.I. Works Contract Pvt. Ltd. and Sayaji Iron & Engineering Co. Pvt. Ltd.?"

2. At the hearing of the Reference today, Mr Manish J Shah learned counsel for the applicant- assessee states that the applicant - assessee does not press this reference.

3. In view of the above, we decline to answer the questions referred for our opinion.

4. The Reference accordingly stands disposed of with no order as to costs.

(M.S. Shah,J) (K.A. Puj,J)

zgs/-